

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 10, 2018

SEAN F. MCAVOY, CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARCIAL BRAVO ZAMBRANO,

Defendant.

No. 4:15-CR-06049-EFS-20

ORDER DENYING DEFENDANT'S
MOTION

**MOTION DENIED
(ECF No. 830)**

**MOTION GRANTED
(ECF No. 831)**

At Defendant's August 8, 2018, motion hearing, Defendant was present, in custody, with counsel Walter Lynn Ayers and Zachary Lynn Ayers. Defendant was assisted by federally-certified interpreter Carolina Hickey. Assistant U.S. Attorney Stephanie A. Van Marter appeared for the United States. Both sides presented argument.

The Court has reviewed Defendant's Motion for Release from Custody, ECF No. 830, the United States' response, ECF No. 840, the Defendant's reply, ECF No. 841, the Pretrial Services Reports, ECF Nos. 806, 844, and the argument of counsel. The Court has further reviewed its previous order detaining Defendant. ECF No. 808.

As a threshold matter, Defendant must proffer information not previously known to Defendant or his counsel, amounting to a material change in the circumstances considered by the Court in its prior detention determination. 18 U.S.C. 3142(f).

1 The Court finds that Defendant has not met the required threshold. The
2 Court's previous decision to detain cited a risk of flight, if not actual flight, as well
3 as the danger to the community represented by the circumstances of the offense.

4 In moving for reconsideration, Defendant provides further details regarding
5 his employment and proposed residence with his family. This is not material,
6 because ties to the community were acknowledged and accepted in the previous
7 order of detention.

8 Defendant's motion, **ECF No. 830**, is **DENIED**.

9 Defendant's motion to seal, **ECF No. 831**, is **GRANTED**.

10 Defendant is remanded to the custody of the U.S. Marshal and shall remain
11 in detention pending disposition of this case or until further order of the court.

12 **IT IS SO ORDERED.**

13 DATED August 10, 2018.

A handwritten signature in black ink, appearing to be "M", is written over a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE